

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

TYLUS ALLEN JR.,)	
)	
Plaintiff,)	
)	
v.)	No. 19-CV-7904
)	
MITCHELL LORENZ, M.D., et. al.,)	
)	
Defendants.)	

**DEFENDANT TUDRYN'S MOTION FOR ENTRY OF FINAL JUDGMENT
PURSUANT TO F.R.C.P. 54(B)**

Defendant, Jason Tudryn (“Ofc. Tudryn”), by and through his attorney, Julie M. Koerner, moves this Court for an entry of final judgment and a finding, pursuant to Fed. R. Civ. P. 54(b), that there is no just reason for delay or enforcement of this Court’s order. In support thereof, Ofc. Tudryn states as follows:

1. Plaintiff filed the instant §1983 civil rights suit against Ofc. Tudryn for an alleged unreasonable search of his person (Count 1) and an unreasonable search of his vehicle (Count 2).

See Pls. First Amended Complaint (“Complaint”), (Dkt. [#45]).

2. On December 22, 2023, this Court entered a memorandum opinion and order granting Ofc. Tudryn’s motion for summary judgment pursuant to Fed. R. Civ. P. 56, terminating him from this case. *Memorandum Opinion and Ord. (Dkt. [#126]).*

3. Inasmuch as Plaintiff’s claims against Advocate Health and Hospital Corporation, Dr. Mitchell Lorenz, and Dr. Laura Napier (collectively, the “Advocate Defendants”) continue, Ofc. Tudryn prays for an entry of final judgment.

4. Fed. R. Civ. P. 54(b) provides that when a claim for relief is directed at multiple parties, the court may direct the entry of a final judgment as to one or more but fewer than all of

the parties only upon an express determination that there is no just reason for the delay and upon an express direction for the entry of judgment. *Schieffelin & Co. v. Valley Liquors, Inc.*, 823 F.2d 1064, 1065 (7th Cir. 1987). The decision to grant an entry of judgment, pursuant to Rule 54(b), is left to the sound discretion of the district court. *Id.*

5. An entry of judgment pursuant to Fed. R. Civ. P. 54(b) is appropriate in this case as it involves multiple defendants and all claims against Ofc. Tudry have been fully adjudicated by this Court. Additionally, a Rule 54(b) finding would not impede this Court's progress on the remaining claims. *Whitmer v. John Hancock Mut. Life Ins. Co.*, No. 91 C 3067, 1994 WL 236647, at *1-3 (N.D. Ill. May 27, 1994)(internal citations omitted).

6. Plaintiff's claims against the Advocate Defendants, are clearly separate and distinct from the claims brought against Ofc. Tudry. The Court would not be wasting judicial resources or encouraging a piecemeal appeal by granting this motion. *Id.*

7. Neither will the Court's resolution of future issues as to the remaining Defendants likely moot any appeal of the adjudicated claims against Ofc. Tudry. *Id.*

Wherefore, Defendant Jason Tudry respectfully requests that this Court enter a final judgment in this matter with language, pursuant to Fed. R. Civ. P. 54(b), that there is no just reason to delay enforcement of this judgment.

Respectfully submitted,

JASON TUDRYN

S/ Julie M. Koerner
Defendant's Attorney

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Plaintiff,)
VILLAGE OF OAK LAWN POLICE)
DETECTIVES S. HEILIG, M. MCNEELA, *et. al.*,)
Defendants.)

No. 19-CV-7904

CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2024, I electronically filed DEFENDANT TUDRYN'S MOTION FOR ENTRY OF FINAL JUDGMENT, PURSUANT TO F.R.C.P. RULE 54(B) on behalf of Defendant Tudryn with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

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